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Paper No. **6**

Mailed

AUG 16 2000

**Director's Office
Group 2700**

In re Application of
Wayne Medeiros
Application No. 09/332,375
Filed: June 14, 1999
For: EMERGENCY VEHICLE DOOR
HAZARD LIGHTS

**DECISION ON PETITION TO
WITHDRAW HOLDING OF
ABANDONMENT**

This is a decision on the communication filed July 21, 2000, which is treated as a petition to withdraw the holding of abandonment for the above-identified application.

This application was held abandoned for failure to respond in a timely manner to the Office action mailed October 26, 1999. A Notice of Abandonment was mailed July 18, 2000.

Petitioner asserts that a proper response was timely filed. In support of the petition, petitioner submits a copy of a postcard receipt date stamped January 3, 2000, acknowledging receipt of a drawing, Response to Office action, final fee, and check. Copies of the documents listed, and copies of a fee transmittal and transmittal form are included. A review of Patent Office records reveals that a check for \$605.00 was applied to the credit of the above-identified application for the issue fee. It is also noted that the transmittal form submitted identifies the wrong application serial number.

The originally filed response was not matched with the file and has not been located. M.P.E.P. § 503 states, "[a] post card receipt which itemizes and properly identifies the papers which are being filed serves as evidence of receipt in the PTO of all the items listed thereon on the date stamped thereon by the PTO." Accordingly, it is concluded that all the correspondence was received in the PTO but not matched with the file due to the incorrect serial numbers.


Under current Office procedure, a response that has an incorrect serial number is handled in accordance with M.P.E.P. § 508.03. If a paper having an incorrect serial number contains sufficient information to identify the correct application and was timely received at the PTO, the holding of abandonment will be withdrawn. In reviewing the papers which were submitted, it is concluded that there was sufficient information thereon to associate the papers with the instant file.

For the reasons stated above, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

The petition is **GRANTED**.

No fee is required for a petition to withdraw holding of abandonment and no fee has been charged.

The application file is being forwarded to the technical support staff for entry of the amendment. The application file will then be forwarded to the examiner for examination in due course.



Jim F. Ng Director

Technology Center 2700

Communications & Information Processing